

**REMARKS**

Applicants respectfully request that the application be reconsidered in view of the above amendments and the following remarks. In the Office Action, dated June 11, 2004, the Examiner objected to the drawings and further objected to the title of the invention. The Examiner further rejected claims 15 and 17 under 35 U.S.C. §102(e) as allegedly being anticipated by U. S. Patent No. 6,716,684 (hereinafter "KRIVOKAPIC"). The Examiner further rejected claims 16 and 18 under 35 U.S.C. §103(a) as allegedly being obvious over KRIVOKAPIC. Applicants note with appreciation the Examiner's allowance of claims 1-14, and the indication of allowable subject matter in claims 19 and 20.

By way of this amendment, Applicants have amended claim 15 to incorporate the subject matter of dependent claim 19. Since the subject matter of claim 19 has been incorporated into claim 15, claim 19 has been canceled. Claim 20 has further been amended to depend from claim 15, instead of canceled claim 19. Sheet numbering has been added to all of the drawing sheets, and FIGS. 9B and 10B have been revised to incorporate the handwritten changes added by the inventors prior to filing the present application. The title of the invention has additionally been amended. No new matter has been added by way of this amendment. Reconsideration of the outstanding rejections of pending claims 15-18 is respectfully requested in view of the amendments above and the following remarks.

The Office Action (pg. 2) objects to the drawings, indicating that handwritten corrections were added to FIGS. 9B and 10B prior to filing of the application, and that the sheet numbering for the drawings is missing. Applicants have amended FIGS. 9B and 10B to incorporate the handwritten changes of the inventors. Sheet numbering has additionally been added to each

sheet of the drawings. In view of the revised formal drawings submitted herewith, Applicants request withdrawal of the objection to the drawings.

The Office Action (pg. 2) objects to the title of the invention, suggesting that the title be changed to "Method of Forming Tri-Gate FinFET With Mesa Isolation." Applicants have amended the title in accordance with the suggestion of the Examiner. Accordingly, Applicants request that the objection to the title be reconsidered and withdrawn.

The Office Action (pg. 3) rejects pending claims 15 and 17 under 35 U.S.C. §102(e) as allegedly being anticipated by KRIVOKAPIC. Applicants have amended claim 15 to incorporate the subject matter of claim 19, which the Office Action has indicated (pg. 8) as being allowable. Applicants, therefore, respectfully request the withdrawal of the rejections of claim 15 and 17.

The Office Action (pg. 4) further rejects claims 16 and 18 under 35 U.S.C. §103(a) as allegedly being obvious over KRIVOKAPIC. Claims 16 and 18 depend from claim 15, which has been amended to incorporate the subject matter of allowable claim 19. Applicants, therefore, respectfully request withdrawal of the rejection of claims 16 and 18.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

By: John Harrity  
Tony M. Cole, Reg. No. 43,367  
for Registration No. 43,417

Date: August 18, 2004

Harrity & Snyder, L.L.P.  
11240 Waples Mill Road  
Suite 300  
Fairfax, Virginia 22030  
Main: (571) 432-0800  
Direct: (386) 575-2713

Customer Number: **45114**